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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/336,741	06/21/1999	SHERMAN CHING MA	X/P6396US0	8007

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STITES & HARBISON PLLC
1199 NORTH FAIRFAX STREET
SUITE 900
ALEXANDRIA, VA 22314

EXAMINER	
HEWITT II, CALVIN L	

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/336,741	CHING, SHERMAN	
	Examiner	Art Unit	
	Calvin L Hewitt II	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *28-38,40-48 and 50-61* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *28-38,40-48 and 50-61* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Status of Claims

1. Claims 28-38, 42-48, and 50-61 have been examined.

Response to Amendments

2. Applicant's arguments with respect to claims 28-47 have been considered but are moot in view of the new ground(s) of rejection. Newly added claims 49-61 are also rejected.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 31 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 31 recites the limitation "said all approval criteria" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 28-30, 32-34, 42-47, 50, 53-55, 57, 58 and 61 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Tengel et al. U.S. Patent No. 5,940,812.

As per claims 28-30, 32-34, 42-47, 50, 53-55, 57, 58 and 61 Tengel et al. teach an apparatus for receiving and assessing an application comprising:

- computing means to store a superset of approval criteria for a plurality of application recipients (abstract; column 7, lines 28-39; column 11, lines 39-48)
- requesting that the applicant provide application information (figure 5)
- receiving the application information (figure 1)

- accessing the approval criteria of the recipients (abstract), assessing the application according to said approval criteria of each of said recipients (abstract; figure 2A) and forming a separate assessment of said application for each of said recipients (figures 2A and B)
- presents a number of questions, that include an introductory in sequence to an applicant, receives responses to said questions and optimizes the sequence (figure 5)
- computing means for an applicant to input data into said application (figure 2A) and communication means for communicating assessments of said application to said applicant (figure 2A)
- questions that comprise a group of questions wherein at least of one of said groups include an introductory sentence ("In addition to..." figure 5) and refraining from asking questions deemed non-critical (figure 5)
- determining what application information is required to assess the application against the superset of approval criteria (abstract; figures 2A-3B and 5; column 6, lines 46-61)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel et al. U.S. Patent No. 5,940,812 in view of Hartman et al. U.S. Patent No. 5,960,411.

As per claims 31, 49, 51, 52, 56, 59, 60Tengel et al. teach a system for processing user loans by receiving and storing lender loan criteria, receiving a borrower application then comparing the application against lender criteria to determine an available loan(s) for the borrower. Specifically, Tengel et al. teach potential borrowers filling out an application (figure 5). However, Tengel et al. do not explicitly recite presenting to a user a series of forms. Hartman et al. teach a filling out an application wherein the application comprises multiple electronic forms (abstract; figures 1A-2, 8A-C). The Hartman et al. teaching allows a user to complete an application by providing a sequence of forms to a user where the requesting of unnecessary information, and redundant, in these forms is avoided (figures 1C, 3, 4, figures 8A-C; column 2, lines 59-67; column 4, lines 35-58; column 5, lines 8-26; column 7, lines 3-23; column 9, lines 8-53). More

specifically, Hartman et al. disclose a method where after completing a first form, the system constructs and presents a second, and subsequent forms containing subsequent information, on the basis of information provided by an applicant in the first form and an applicant sending these forms to a remote system (figure 1A; column 4, lines 44-58; column 9, lines 25-53). Regarding "defects", Hartman et al. teach a system for detecting "errors", therefore as this feature is not inherent to a computer and has to be programmed, a decision has to be made as to what is an error. Hence, a "defect" such as not capitalizing a name can be ignored by the system. Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Tengel et al. and Hartman et al. in order to ensure efficient and accurate loan form processing by correcting errors in data fields ('411, column 9, lines 35-42) that coincide ('812, figures 3A-B and 5) with all or some lender criteria.

8. Claims 35-38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris, U.S. Patent No. 5,870,721 and Hartman et al. U.S. Patent No. 5,960,411 as applied to claim 16 above and in further view of Fraser et al., U.S. 5,995,947.

As per claims 35-38, Norris teaches an automated loan processing system (abstract), while Hartman et al. teach a system for presenting subsequent forms to users when an error is detected in a previously submitted form (figures 8A-C).

However, neither Norris nor Hartman et al. specifically recite bids. Fraser et al. teach an interactive loan trading system where a loan application can be modified ('947, column 3, lines 46-53; column 8, lines 24-28) and is accessible and selectively presented on remote lender computers in order for lenders to select, review and bid on loan applications (i.e. assessing applications based on approval criteria of each lender) ('947, figure 1; column 2, lines 21-31; column 7, lines 5-20; column 12, lines 26-67; column 13, lines 3-8 and 34-48). Fraser et al. also allow bids to be accepted (column 13, lines 42-47). Therefore, it would have been obvious to combine the teachings of Norris, Fraser et al. and Hartman et al. in order to provide borrowers with the best finical product given the borrower's loan criteria by subjecting the borrower's loan application to competitive forces ('947, abstract).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

c/o Technology Center 2100

Washington, D.C. 20231

or faxed to:

(703) 305-7687 (for formal communications intended for entry and after-final communications),

or:

(703) 746-5532 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7th Floor Receptionist.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

Calvin Loyd Hewitt II

December 8, 2004